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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/668,169	09/25/2000	Mariko Okude	381AS/49277	1721
23911	7590	05/05/2005	EXAMINER	
CROWELL & MORING LLP INTELLECTUAL PROPERTY GROUP P.O. BOX 14300 WASHINGTON, DC 20044-4300			VU, THANH T	
			ART UNIT	PAPER NUMBER
			2174	

DATE MAILED: 05/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/668,169

Applicant(s)

OKUDE ET AL

Examiner

Thanh T. Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-8, 10 and 11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-8, 10 and 11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

This communication is responsive to Amendment, filed 01/18/2005.

Claims 2-8, and 10-11 are pending in this application. In the Amendment, claims 1, 9, and 12-13 were cancelled, and claims 2-3, 10 were amended. This action is made Final.

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 2-6, and 10-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Takeuchi (US 5,602,565).

As per claims 2-3, Takeuchi teaches wherein said display environment changer sets color pallets that are different from each other in correspondence with said plurality of OSs, and expands display data into said memory in accordance with said set color pallets and set color modes (Fig.2 (A), col.6, lines 8-58, *bits allocated to each color for each display screen with each memory unit defined by the number of pixels and corresponding to a display screen*).

As per claim 4, Takeuchi teaches a display apparatus where results of processing by a plurality of OSs are displayed on a same display unit (col.1, lines 14-21, *Fig 34(a), plurality of operating systems shows on a display screen*), comprising:

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a memory which expands said processing results in correspondence with said plurality of OSs (Fig.3(A), *OS switching process*, col.6, lines 64-67, *multi-OS has function of switching to another OS, each OS has a memory region corresponding to the respective OS*),

a display environment changer which changes, in correspondence with said plurality of OSs, display environments to be set results, and for expanding said processing (col.6, lines 33-47, *memory units correspond to display screens respectively and are switched according to the OS*),

a display superimposer which displays a plurality of frames in a state of being superimposed on each other, said plurality of frames being expanded into said memory, wherein said display superimposer superimposes said plurality of frames in a manner that a frame expanded and displayed by either of said plurality of OSs is set in a background and an OS is set in a foreground, said OS being different from said OS that, of said plurality of OSs, becomes said background (Fig.34(A), *image by second OS superimposed on display by first OS*, col. 7, lines 20-27 and col. 8, lines 6-22; lines 59-62).

Claims 5-6 are similar in scope to claims 2-3, and therefore are rejected under similar rationale.

As per claim 10, Takeuchi teaches a display apparatus where results of processing by a plurality of OSs are displayed on a same display unit (col.1, lines 14-21, *Fig 34(a), plurality of operating systems shows on a display screen*), comprising:

a memory which expands said processing results in correspondence with said plurality of OSs (Fig.3(A), *OS switching process*, col.6, lines 64-67, *multi-OS has function of switching to another OS, each OS has a memory region corresponding to the respective OS*),

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a display environment changer which changes, in correspondence with said plurality of OSs, display environments to be set for expanding said processing results (col.6, lines 33-47, *memory units correspond to display screens respectively and are switched according to the OS*),

a display superimposer which displays a plurality of frames in a state of being superimposed on each other, said plurality of frames being expanded into said memory (Fig.34(A), *image by second OS superimposed on display by first OS*), and

an input device which receives a user input, wherein as to one display unit at which said plurality of frames are superimposed, said input device determines further display area, within said one display area utilized by said plurality of OSs, with reference to a position on said display unit at which said user input is performed and a superimposing mode of said plurality of frames and transfers an input event of said user input to one of said OSs which displays at said position (*Fig. 3(A), a user input through keyboard 40, or mouse 42*, col.7, lines 1-5; Fig 34 (A), *image by second OS superimposed on display by first OS*, col. 7, lines 23-27 and col. 8, lines 6-22 and lines 59-62).

Claim 11 is similar in scope to claim 10 and therefore is rejected under similar rationale.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takeuchi (US 5,602,565) in view of Bodin (US 5,394,519).

As per claim 7, Takeuchi teaches a display apparatus where results of processing by a plurality of OSs are displayed on a same display unit (col.1, lines 14-21, *Fig 34(a), plurality of operating systems shows on a display screen*) and a display superimposer (Fig.34(A), *image by second OS superimposed on display by first OS*), Takeuchi does not specifically teach wherein said display superimposer sets a specified color of said foreground to be a transmission color, then superimposing said foreground on said background. Bodin teaches an apparatus for high resolution display which sets a specified color of said foreground to be a transmission color, then superimposing said foreground on said background (col.2, lines 26-30, foreground color displays). It would have been obvious to an artisan at the time of the invention to combine Bodin's teaching with the apparatus of Takeuchi because it allows for user control of the color pixels on the display (col.2, lines 26-30).

As per claim 8, Takeuchi teaches a display apparatus where results of processing by a plurality of OSs are displayed on a same display unit (col.1, lines 14-21, *Fig 34(a), plurality of operating systems shows on a display screen*) and a display superimposer (Fig.34(A), *image by second OS superimposed on display by first OS*), Takeuchi does not specifically teach wherein said display superimposer has a superimposition display color determining table so as to superimpose said foreground on said background in accordance with said superimposition display color determining table, said superimposition display color determining table being provided for determining a display color at the time when said foreground and said background are superimposed on each other. Bodin teaches an apparatus for high-resolution display, wherein said display superimposer has a superimposition display color determining table (*i.e. color palette register*) so as to superimpose said foreground on said background in accordance with

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said superimposition display color determining table, said superimposition display color determining table being provided for determining a display color at the time when said foreground and said background are superimposed on each other (col.2, lines 26-30, *color palette register*). It would have been obvious to an artisan at the time of the invention to combine Bodin's teaching with the apparatus of Takeuchi because it allows for user control of the color pixels on the display (col.2, lines 26-30).

### ***Response to Arguments***

Applicants' arguments in the Amendment have been fully considered but are not persuasive.

Applicant's primary argument is that Takeuchi does not teach "the use of input device to determine further display areas, within said one display area utilized by the plurality of OSs, with reference to a position on said display unit at which said user input is performed and a superimposing mode of said plurality of frames and transfers an input event of said user input to one of said OSs which displays at said position". The examiner does not agree because Takeuchi reads on the claim language of said input device determines further display area, within said one display area utilized by said plurality of OSs, with reference to a position on said display unit at which said user input is performed and a superimposing mode of said plurality of frames and transfers an input event of said user input to one of said OSs which displays at said position (*Fig. 3(A), a user input through keyboard 40, or mouse 42, col.7, lines 1-5; Fig 34 (A), image by second OS superimposed on display by first OS, col. 7, lines 23-27 and col. 8, lines 6-22 and lines 59-62*).

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Applicant also point out that Takeuchi does not teach “a display superimposer which displays a plurality of frames in a state of being superimposed on each other, wherein said display superimposer superimposes said plurality of frames in a manner that a frame expanded and displayed by either of said plurality of OSs is set in a background and an OS is set in a foreground, said OS being different from said OS that, of said plurality of OSs, becomes said background”. The examiner does not agree because Takeuchi reads the claim language of a display superimposer which displays a plurality of frames in a state of being superimposed on each other, said plurality of frames being expanded into said memory, wherein said display superimposer superimposes said plurality of frames in a manner that a frame expanded and displayed by either of said plurality of OSs is set in a background and an OS is set in a foreground, said OS being different from said plurality of OSs Fig. 34(A), *image by second OS superimposed on display by first OS*, col. 7, lines 20-27 and col. 8, lines 62).

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,



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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Inquiries***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh T. Vu whose telephone number is (571) 272-4073. The examiner can normally be reached on Mon-Thur and every other Fri 8:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

T. Vu

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